

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:22-cv-00068-BO

YOLANDA IRVING, et al.,

Plaintiffs,

v.

THE CITY OF RALEIGH, et al.,

Defendants.

**CITY OF RALEIGH AND OFFICIAL
CAPACITY DEFENDANTS' MOTION
FOR A PROTECTIVE ORDER**

Pursuant to Federal Rules of Civil Procedure 26(b) and 26(c), defendants City of Raleigh, Chief of Police Estella Patterson in her official capacity, and City Manager Marchell Adams-David in her official capacity (collectively the “City”) move the Court for a protective order forbidding the deposition of the corporate representative of the Raleigh Police Department (“RPD”) until the next phase of discovery and narrowing the topics for examination. In support of this motion, the City attaches Emancipate NC’s Notice of 30(b)(6) Deposition (Exhibit 1) and files contemporaneously herewith a memorandum in support. Further, the undersigned certify that there has been a good faith effort to resolve this dispute prior to filing this motion. (*See* City’s Exs. 2-4).

To summarize, the matters identified for examination exceed the scope of discovery to which the parties agreed and the Court ordered as well as the permissible limits of discovery under Rule 26. Further, topics in the Notice are not described with reasonable particularity as Rule 30(b)(6) requires. Therefore, the City requests that the Court grant the motion to prevent undue burden on the RPD.

Respectfully submitted, this the 22nd day of December 2022.

**CITY OF RALEIGH
Robin L. Tatum, City Attorney**

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CERTIFICATE OF SERVICE

I hereby certify that on December 22, 2022, I electronically filed the foregoing **CITY OF RALEIGH AND OFFICIAL CAPACITY DEFENDANTS' MOTION FOR A PROTECTIVE ORDER** with the Clerk of Court using the CM/ECF system, which sends notification of such filing to all counsel of record as follows:

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